



October 31, 2011

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: CC Docket No. 96-128 – Petition of extension of Waiver**

Dear Ms. Dortch:

Pursuant to Section 1.3 of Federal Communications Commission's Rules, Puerto Rico Telephone Company, Inc. ("PRTC") is requesting an extension of the temporary waiver of the Commission's audit requirement contained in Section 64.1320, the original of which is enclosed.

PRTC needs a brief extension of time until December 30, 2011 to complete its payphone call tracking system audits and file the corresponding audit report.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Carlos D. Ruiz-Mantilla", written over a horizontal line.

Carlos D. Ruiz-Mantilla, Esq.  
Regulatory Compliance Manager

Enclosure

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

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In the Matter of Implementation  
of the Pay Telephone Reclassification  
and Compensation Provisions of the  
Telecommunications Act of 1996

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CC Docket No. 96-128

**PETITION FOR WAIVER**

**TO THE HONORABLE COMMISSION:**

COMES NOW, Puerto Rico Telephone Company, Inc. ("PRTC") referred, by its undersing attorney, to request a temporary waiver of the Commission's audit requirement contained in Section 64.1320<sup>1</sup>, pursuant to Section 1.3 of the Federal Communications Commission's rules. PRTC needs an extension of time until December 30, 2011 to complete its audit and file the corresponding audit report. As explained below, there is good cause for granting this Petition, and the Petition is in the public interest.

PRTC is a completing carrier within the meaning of Section 64.1300<sup>2</sup> of the Commission's rules and is therefore required on an annual basis to complete by July 1<sup>st</sup> an audit of its payphone call tracking systems, pursuant to Section 64.1320<sup>3</sup>.

On June 29, 2011, PRTC requested a temporary waiver of the Commission's audit requirement until October 31, 2011. Nevertheless, although PRTC has selected an independent

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<sup>1</sup> See, 47 C.F.R §64.1320.

<sup>2</sup> *Supra*, §64.1300.

<sup>3</sup> *Supra*, §64.1320.

third party auditor and the audit process is underway, it will not be completed by the time expected.

Therefore, PRTC anticipates that it may take an additional sixty (60) days or until December 30, 2011 to complete all documentation and testing, analyze the results, and prepare a final report for the Commission.

Section 1.3 allows the Commission to waive its rules where “good cause” exists. The Commission has concluded that good cause exists where “special circumstances warrant a deviation from the general rule, such deviation serves the public interest, and waiver would be consistent with the principles underlying the rule.”<sup>4</sup> Such good cause exists here.

PRTC has diligently worked to comply with the Commission’s compensation requirements and has implemented a payphone call tracking system, pursuant to Section 64.1310(a)(1)<sup>5</sup>. However, given the timing of PRTC to conclude a detailed evaluation of its aforementioned systems, PRTC do not have sufficient time to complete the required audit by October 31, 2011. PRTC is sincerely committed to complete this audit as expeditiously as possible.

No party will be harmed by the delay in completion of the audits because PRTC’s payphone call tracking systems are already in place and working. Moreover, since the effective date of these rules, PRTC has never received a dispute or claim by any payphone service provider regarding payphone compensation.

Thus, the public interest is best served by allowing PRTC and its auditors adequate time to complete their tasks and present the most comprehensive and reliable information possible to the Commission.

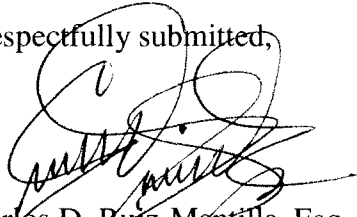
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<sup>4</sup> *Northeast Cellular Tel. Co., L.P. v. FCC*, 897 F2d 1164, 1166 (D.C. Cir. 1990) (citing *WAIT Radio v. FCC*, 418 F2d 1153, 1159 (D.C. Cir. 1969)).

<sup>5</sup> See, 47 C.F.R. §64.1310(a)(1).

WHEREFORE, PRTC respectfully requests that the Commission grant this Petition for Waiver by extending the deadline to complete its payphone call tracking system audits no later than December 30, 2011.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Carlos D. Ruiz-Mantilla', written over a circular stamp or seal.

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Its Attorney

October 31, 2011